

ATTORNEY DOCKET NO. 01097.0008U2
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
MULLAN)	
)	Group Art Unit: 1632
Serial No. 09/785,951)	
)	Examiner: Crouch, D.
Filed: February 16, 2001)	
)	Confirmation No. 7348
For: "TEST AND MODEL FOR)	
ALZHEIMER'S DISEASE")	

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.
Customer No. 23859

September 10, 2003

Sir:

Alzheimer's Institute of America, Inc. is assignee of the entire right, title, and interest in and to the above-identified patent application, as shown by the assignment (a copy of which is enclosed as Exhibit 1) recorded in the patent assignment records of the U.S. Patent and Trademark Office on July 31, 1992 at Reel/Frame 6272/0303, and is also the assignee of the entire right, title, and interest in and to Application No. 07/894,211, now U.S. Patent No. 5,455,169, as shown by a copy of the same assignment (Exhibit 1), and hereby declares that the claimed inventions of the two applications were owned by or subject to an obligation of assignment to this assignee at the time the latest filed invention was made. Said assignee hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of any patent that issues from Application No. 07/894,211, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent that issues from Application No. 07/894,211, this agreement

to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

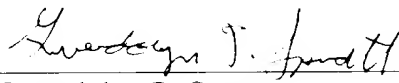
In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and 173 of a prior patent, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Credit Card Payment Form PTO-2038 authorizing payment in the amount of \$895.00 (representing \$375.00 RCE fee; \$465.00 three-month extension of time fee; and \$55.00 Terminal Disclaimer fee—SMALL ENTITY) is enclosed. This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Deposit Account No. 14-0629.

The undersigned is empowered to act on behalf of Alzheimer's Institute of America, Inc. Pursuant to 37 C.F.R. § 1.321(b)(1)(iv) and (c)(2), the undersigned, as Assignee's agent, is executing this Terminal Disclaimer.

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SERIAL NO. 09/785,951

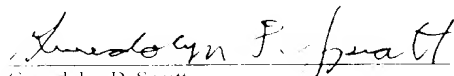
I declare that all statements made herein of my own knowledge and belief are true and that all statements made on information and belief are believed to be true, and further, that the statements are made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.


Gwendolyn D. Spratt
Reg. No. 36,016

NEEDLE & ROSENBERG, P.C.
Customer No. 23859
678-420-9300 (Tel)
678-420-9301 (Fax)

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:


Gwendolyn D. Spratt

9-10-03
Date



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DATE: 11/09/92

TO:

NEEDLE & ROSENBERG, P.C.

DAVID G. PERRYMAN

133 CARNEGIE WAY, N.W. STE. 400

ATLANTA, GA 30303

NOV 23 1992

NEEDLE & ROSENBERG,

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT BRANCH OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE U.S. PATENT AND TRADEMARK OFFICE ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT ASSIGNMENT PROCESSING SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT BRANCH, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231

ASSIGNOR:

DOC DATE: 07/15/92

MULLAN, MICHAEL J.

RECORDATION DATE: 07/31/92 NUMBER OF PAGES 005 REEL/FRAME 6272/0303

DIGEST :ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE:

ALZHEIMER'S INSTITUTE OF AMERICA, INC.
BLOOMINGTON, ILLINOIS 61701

SERIAL NUMBER 7-894211 FILING DATE 06/04/92
PATENT NUMBER ISSUE DATE 00/00/00

David M. Mullan

EXAMINER/PARALEGAL

ASSIGNMENT BRANCH

ASSIGNMENT/CERTIFICATION SERVICES DIVISION

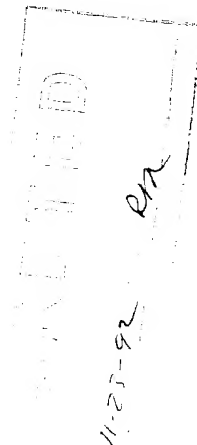


EXHIBIT 1

ASSIGNMENT

WHEREAS, I, Michael John Mullan of 15209 Plantation Oaks Drive, #8 Tampa Palms, Tampa, Florida 33637, U.S.A., have invented new and useful improvements in a "TEST AND MODEL FOR ALZHEIMER'S DISEASE", for which an application for United States Letters Patent was filed on June 4, 1992; and

WHEREAS, ~~THE~~ ALZHEIMER'S INSTITUTE OF AMERICA^{INC.}, whose post-office address is Bloomington, Illinois 61701, U.S.A., is desirous of acquiring the entire interest in the same;

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration, I, Michael John Mullan, hereby do sell, assign and transfer unto said ~~THE~~ ALZHEIMER'S INSTITUTE OF AMERICA^{INC.}, the entire right, title and interest in and to said invention and application throughout the world, including, without limitation, any Letters Patent which may issue thereon, and any reissue, reexamination, division, continuation-in-part, extension or continuation thereof and all

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continuation-in-part, extension or continuation thereof and all rights of priority under the International Convention arising from said application; the same for its legal representatives and assigns, as fully and entirely as the same would have been held by me had this assignment and sale not been made;

AND, I hereby bind myself, my heirs, legal representatives, administrators and assigns properly to execute without further consideration any and all applications, petitions, oaths and assignments or other papers and instruments which may be necessary in order to carry into full force and effect, the sale, assignment, transfer and conveyance hereby made or intended to be made and generally do everything possible to aid its legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries throughout the world.

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IN WITNESS WHEREOF, I have executed this agreement this
15th day of JULY, 1992.

Michael John Mullan (L.S.)
Michael John Mullan

State of Florida

County of Hillsborough

On this 15 day of July, 1992, before me, a
Notary Public, came Michael John Mullan, to me known and known to
be the individual described in and who executed the foregoing
assignment, and he duly acknowledged the same to be his free act
and deed.

John Kovalick
Notary Public

My Commission Expires: _____
NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: May 22, 1995.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

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OFFICE

JUL 31 1992